IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 5999 of 2007()

C.R.NO.28/07 OF EZHUKONE EXCISE RANGE
CMP.7535/2007 of J.M.F.C.-I,KOTTARAKKARA

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PETITIONER/1ST AND 2ND ACCUSED

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1. JOSEPH, S/O.MARTIN, KANIYAMKADAVIL, PALLIPURAYIDAM, SAKTHIKULANGARA VILLAGE, KOLLAM TALUK.

2. ANILCHANDRAN, S/O.GOPALAN NAIR, R.P.BHAVAN, AYATHIL CHERY, VADAKKEVILA VILLAGE, KOLLAM.

BY ADV. SRI.SAJJU.S
SRI. K.SHAJ
SRI.B.BALRAJ

RESPONDENTS:

STATE OF KERALA REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

- -

B.A.No. 5999 of 2007

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Dated this the 3rd day of October, 2007

O R D E R

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. They were allegedly found to be in possession of 35 x 19 litres of spirit on 2.8.2007. They were arrested and they continue in custody from that date. The petitioners have no history of any criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer - a period of 60 days having already elapsed from the date of first remand and the final report having not filed yet - and I am satisfied that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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